

**11—66.3(68B) Outside employment or activity.** Employees shall not engage in any outside employment, including outside employment with another department of the state of Iowa, a political subdivision of the state, or the federal government, or activity which is or has the potential to be in conflict with the employees' job duties and responsibilities.

*"Conflict"* means a situation created where an employee receives a personal gain or advantage as a result of employment with an agency of state government.

**66.3(1) Determination of conflict.** The management authority shall reasonably determine and make known in writing whether a particular outside employment or activity creates or could create an unacceptable conflict with an employee's job duties and responsibilities. In making the determination, the management authority shall give consideration to, but not be limited to, the following:

*a.* Involves private gain or advantage by the use of the state's time, facilities, equipment and supplies; or, the use of the badge, uniform, prestige, or influence of the employee's job.

*b.* Involves the receipt of, promise of, or acceptance by an employee of any money or other consideration from anyone, other than the state for the performance of any act that the employee would be required to perform as a part of regular duties or during hours of state employment.

*c.* Involves the performance of an act or work which may later be subject, directly or indirectly, to control, inspection, review, audit, or enforcement by the employee or the management authority for which the employee performs state duties or responsibilities.

**66.3(2) Result of conflict.** If the management authority reasonably determines that the outside employment or activity creates or could create an unacceptable conflict, the employee shall cease the outside employment or activity. Failure to do so may result in disciplinary action, up to and including discharge.